

## Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 L-03 SS-20 NSC-07 CIAE-00 INR-10

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R 051642Z APR 74

FM USMISSION USUN NY

TO SECSTATE WASHDC 3380

INFO AMEMBASSY MOSCOW

AMEMBASSY LENINGRAD

UNCLAS USUN 1146

DEPT FOR JUSTICE - FRANK NILAND

E.O. 11652: NA

TAGS: PFOR US UR ASEC

SUBJ: FISCH CASE (STONE THROWING INCIDENT AT SMUN)

REF: USUN 334

THE FOLLOWING NOTE WAS SENT FROM USUN TO SMUN ON APR 5:  
QUOTE THE UNITED STATES MISSION TO THE UNITED NATIONS  
PRESENTS ITS COMPLIMENTS TO THE PERMANENT MISSION OF THE  
UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS  
AND HAS THE HONOR TO REFER TO ITS NOTE NO. 12, DATED  
JAN 8, 1974, IN WHICH THE SOVIET MISSION REFERS TO THE  
FISCH CASE AND EXPRESSES THE HOPE THAT APPROPRIATE STEPS WILL  
BE TAKEN TO INSTITUTE CRIMINAL PROCEEDINGS AGAINST THE  
PERPETRATOR OF THE ACT IN QUESTION.

THE UNITED STATES MISSION UNDERSTANDS THAT ASSISTANT  
U.S. ATTORNEY DAVID CUTNER INTERVIEWED MR. FELIKS STROK,  
FIRST SECRETARY OF THE SOVIET MISSION, AT THE MISSION ON  
MARCH 29, 1974, WITH A VIEW TO OBTAINING INFORMATION IN  
ORDER TO PREPARE THE CASE FOR POSSIBLE PROSECUTION.  
ACCORDING TO MR. CUTNER, MR. STROK HAS NOT AGREED TO  
TESTIFY IN FEDERAL COURT ON THIS CASE.

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MR. CUTNER HAS INFORMALLY ADVISED THE U.S. MISSION

THAT UNLESS THE SOVIET AUTHORITIES ARE WILLING TO COOPERATE  
WITH THE U.S. ATTORNEY'S OFFICE AND UNLESS MR. STROK AGREES  
TO TESTIFY IN COURT, IT IS THE CONSIDERED OPINION OF  
MR. CUTNER THAT THE CASE AGAINST MR. FISCH CANNOT BE  
PROSECUTED SINCE MR. STROK IS THE ONLY WITNESS TO THE  
ALLEGED EVENTS.

ACCORDINGLY, THE UNITED STATES MISSION URGES THE  
SOVIET MISSION TO AUTHORIZE MR. STROK TO TESTIFY ON THIS  
QUESTION, AND TO COOPERATE FULLY WITH THE OFFICE OF THE  
U.S. ATTORNEY IN BRINGING THIS CASE TO COURT. END QUOTE  
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## Message Attributes

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**Disposition Case Number:** n/a  
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**To:** STATE MOSCOW LENINGRAD  
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